

REMARKS

By the foregoing amendment claim 12 has been rewritten in independent form. It is respectfully requested that this amendment be entered as it does not require a new search.

Claims 1-19 have been rejected under 35 U.S.C. §112, second paragraph, as being indefinite in that claim 1 is vague and indefinite as to what is the "sensing substance", i.e. what characteristics does it sense; claim 11 is confusing with respect to what structure is intended by "collapsible bag", and claim 12 is confusing in that it depends on claim 1 and recites an optical cell.

Claim 12 has been rewritten in independent form.

With respect to "sensing substance" the Examiner's attention is invited to page 10, lines 25-26 which states that "sensing substance" means any substance which is needed to facilitate a measurable reaction with a target chemical.

As to the term "collapsible bag", the Examiner's attention is invited to page 12, lines 25-26 of the application.

Claims 1-8 and 10-11 have been rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 4,935,345 to Guilbeau et al. Before discussing the differences and deficiencies of this reference a brief review of claim 1 is in order. Claim 1 specifies a sensing system for determining the presence of a target chemical in a test fluid comprising a micro-flow reservoir system having at least one micro-flow reservoir including a reagent fluid comprising a sensing substance which reacts with the target chemical, a sensor system comprising a thermopile for detecting the occurrence of said reaction connected to the micro-flow reservoir system, and a conduit connecting the micro-flow reservoir system and the sensor system for conveying reagent

fluid in the micro-flow reservoir system to the sensor system, wherein the sensing system is capable of being immersed within the test fluid.

There is no disclosure or suggestion in Guilbeau et al. of a microflow reservoir system including a reagent fluid as in the claimed invention. Rather Guilbeau et al. at col. 4, lines 49-55 teaches the use of a relatively thin film of an immobilized reaction inducing substance applied proximate to sensing junctions. Accordingly, Guilbeau et al. fails to anticipate the claimed invention.

Claims 12-16 and 18-19 have been rejected under 35 U.S.C. §102(b) as anticipated by U.S. Patent No. 5,434,084 to Burgess, Jr. There is no teaching or suggestion in Burgess, Jr. et al. of a sensing arrangement wherein the sensing system is capable of being immersed within the test fluid as in the claimed invention. Thus Burgess, Jr. et al. fails to anticipate the claimed invention.

Claim 9 has been rejected under 35 U.S.C. §103(a) as being unpatentable over Guilbeau et al. alone or in view of U.S. patent No. 4,685,463 to Williams. As noted above there is no teaching or suggestion in Guilbeau et al. of a microflow reservoir including a reagent fluid as in the claimed invention. Moreover, there is no reason why one skilled in the art would be motivated to combine the Guilbeau et al. and Williams references.

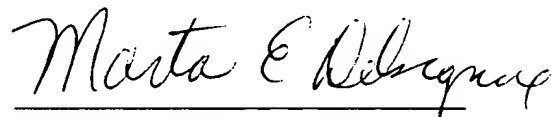
Claim 17 has been rejected under 35 U.S.C. §103(a) as being unpatentable over Burgess, Jr. As noted above there is no teaching or suggestion in Burgess, Jr. of a sensing system capable of being immersed in a test fluid as in the present invention.

In view of the foregoing claims 1-19, all the pending claims, are in proper form and in condition for allowance.

A marked-up version of the changes made to the application is attached hereto as an appendix. In the marked-up version, the words bracketed are being deleted and those underlined are being added by the amendment, which places the amended language in the form given above. The attached appendix is captioned **VERSION WITH MARKINGS TO SHOW CHANGES MADE.**

Prompt and favorable action is respectfully requested.

Respectfully submitted,

A handwritten signature in black ink, reading "Marta E. Delsignore". The signature is written in a cursive, flowing style.

Marta E. Delsignore, Ph.D.
Registration No. 32,689

Pitney, Hardin, Kipp & Szuch LLP
685 Third Avenue
New York, New York 10017
(212) 297-5804

VERSION WITH MARKINGS TO SHOW CHANGES MADE

12. (Amended) A sensing system [arrangement according to Claim 1

wherein the] comprising:

a micro-flow reservoir system having at least one micro-flow reservoir including

a reagent fluid comprising a sensing substance which reacts with the target chemical,

a sensor system comprising an optical cell connected to the micro-flow reservoir

system, and

a conduit connecting the mirco-flow reservoir system and the sensor system.